

110TH CONGRESS
2D SESSION

H. R. 5795

To require the Secretary of the Interior to notify units of local government when a Native American group files a petition to become a federally recognized Indian tribe and before the decision on the petition is made, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2008

Mr. CAMPBELL of California introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require the Secretary of the Interior to notify units of local government when a Native American group files a petition to become a federally recognized Indian tribe and before the decision on the petition is made, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NOTIFICATION REQUIREMENTS.**

4 (a) IN GENERAL.—When a petition requesting that
5 a tribe be recognized, acknowledged, or reacknowledged
6 through the Federal acknowledgment process as a feder-
7 ally recognized Indian tribe is filed with the Department

1 of the Interior, the Secretary of the Interior, acting
2 through the Bureau of Indian Affairs, shall notify in writ-
3 ing units of local government as follows:

4 (1) Notification that a petition was filed and is
5 still pending on the date of the enactment of this
6 Act shall be made not later than 30 days after the
7 date of the enactment of this Act.

8 (2) Notification that a petition has been filed
9 on or after the date of the enactment of this Act
10 shall be made not later than 60 days after the peti-
11 tion is filed.

12 (3) Notification of a decision on a petition shall
13 be made not later than 90 days before the decision
14 is announced.

15 (b) UNITS OF LOCAL GOVERNMENT.—A unit of local
16 government required to be notified under subsection (a)—

17 (1) is local city, parish, or county government
18 located within a 25 mile radius of land—

19 (A) over which the Native American group
20 would be given jurisdiction by or pursuant to
21 the petition;

22 (B) that would be taken into trust for the
23 benefit of the Native American group by or pur-
24 suant to the petition; and

1 (C) ownership of which would be trans-
2 ferred to the Native American group by or pur-
3 suant to the petition; and

4 (2) does not include any Indian tribe, school, or
5 private persons or entities.

6 **SEC. 2. LIMITATION ON TRUST LAND.**

7 The Secretary of the Interior may not take land into
8 trust for the benefit of an Indian tribe or any member
9 of an Indian tribe, unless an Act enacted after the date
10 of the enactment of this Act specifically instructs the Sec-
11 retary to take such land into trust for that Indian tribe
12 or a member of that Indian tribe.

○